

## APPENDIX C

### SUMMARY OF CURRENT GRIZZLY BEAR FOOD STORAGE DIRECTION

Food storage requirements and sanitation guidelines in grizzly bear habitat vary across the landscape and depend mainly on land ownership and administration. Sanitation guidelines generally are absent on private lands; where they exist they are mainly in the form of grassroots driven voluntary efforts. Food storage guidelines are on some, but not all, public lands. Where they do exist on public lands, the number and diversity of regulations and orders may be confusing to recreationist, those who derive their livelihood from the public lands, and agency land managers. The following summarizes the status of food storage and sanitation direction on various land ownerships across the 17-county area of this management plan. Individual contacts, if known, are in ( ).

#### 1. Private Lands

##### Bear Aware

Whitefish, MT: A “Bear Aware” program is being established in the community of Whitefish, MT. The intent of this organization is to raise public awareness about living in bear country and how to avoid bear-human conflicts. As part of this program, the regional garbage hauler (Waste Management System, Great Falls, MT) has given bear-resistant dumpsters to Ptarmigan Village, a resort/residential community in Whitefish, MT. Also, the program coordinator offers to clean up fallen fruit from fruit trees on private residences to remove this food source from being available to bears. (Bill Lavelle, Bear Aware coordinator)

Seeley Lake, MT: bird feeders (remove or electrical fences); bear-resistant dumpsters at schools; businesses take in downtown garbage cans at night; integrate ecological needs of bears into community planning and decision-making (ex. discourage planting of fruit trees or removal of existing areas on city property.) (Patti Bartlett)

##### Blackfoot Challenge (BC)

Watershed-wide stewardship group. Engage in voluntary efforts to reduce grizzly bear-human conflicts. Carcass redistribution in cooperation with the BC Wildlife Committee, FWP, BFI, USFWS, and Blackfoot landowners; electric fences around calving grounds, dumps, fruit trees; 80 bear-resistant dumpsters in watershed; GIS mapping of attractants in the Blackfoot Valley to develop a community supported and scientifically based plan to further reduce conflicts; “Neighbor Network” to empower local residents to monitor grizzly bear activity and take actions to keep attractants away from grizzly bears. Under this program, residents use phone tree lists to help neighbors prevent conflicts from occurring, and residents can check out and borrow a variety of devices including bear-resistant trashcans to avoid problems. (Seth Wilson)

##### Brown Bear Resources (BBR)

BBR umbrellas Middle Rattlesnake Bear Task Force (MRBTF) until MRBTF gets established as an organization. Actions taken by BBR on behalf of grizzly bears services over 400 residences plus new developments in the Middle Rattlesnake area and include the following: conduct door-to-door efforts to educate residences on proper sanitation in bear country; work with FWP-R2 wildlife management specialist to identify hotspots for potential bear-human conflict; work with rental property managers to promote proper sanitation practices amongst renters; hold monthly public meetings to give updates on bear movements, activity, etc.; working on an ordinance for Missoula that is more enforceable than

Montana Code Annotated 87-3-130 “Taking of wildlife to protect persons and livestock” (HB 249 allows cities to devise ordinances for wildlife. WIP, Jonkel: in Msla, council exists but food storage ordinances in talking stage.) Additionally BBR, in cooperation with FWP, provides bear-resistant bins for check out. Bins are used as a temporary solution until the individual household resolves the sanitation problem. (Erin Edge)

#### Cabinet-Yaak Grizzly Bear Citizen Committee

Includes local organizations, elected officials, county commissioners, FWS representative, concerned citizens. Round table discussions and transfer of information. Started in 1989 when 4 female grizzly bears were transplanted in the Cabinet ecosystem for augmentation purposes. (Kasworm)

#### Defenders of Wildlife (DW)

DW oversees a livestock compensation program. DW will pay full market value of a confirmed grizzly bear kill. Ranchers must get confirmation that livestock was killed by grizzly bear from either the FWP wildlife management specialist or Wildlife Services. If these parties agree that it was a grizzly bear kill, the rancher then goes directly through DW for payment, not through the state or federal agency.

DW created The Bailey Wildlife Foundation Proactive Carnivore Conservation Fund in 1999, which supports the use of nonlethal deterrents and preventative animal husbandry practices. Through the fund, DW cost shares with communities, organizations, and agencies for conflict prevention. To date, DW has provided funding for bear-resistant dumpsters; food poles in the back country on national forests; bear-resistant food storage boxes for campgrounds and camp sites in Glacier National Park; bear-resistant dumpsters for campsites in the Bitterroot Ecosystem; electric fencing around calving grounds, sheep bedding grounds, apiaries, dumpsters; aversive conditioning of grizzly bears through the use of Karelian bear dogs. Also DW has developed the “Living In Bear Country” brochure and has collaborated with NWF to develop public service announcements regarding food storage and keeping a clean hunting camp in the backcountry. (Minette Johnson)

#### Great Northern Environmental Stewardship Association (GNESA)

Great Northern Environmental Stewardship Area is a partnership of private landowners, citizens’ organizations, businesses, corporations and government agencies with a presence in the corridor that bisects the natural lands of the Bob Marshall Complex and Glacier National Park. This corridor holds unparalleled natural landscapes, critical wildlife habitat, a pristine free flowing river and vital transportation and utility routes, all of which contribute essential values to our region. We work together for an enlightened stewardship and collaborative responsibility for our human activities in these precious lands. Some of GNESA’s most important work has been with local residents to keep attractants such as bird feeders and ripened fruit out of reach of bears. A major improvement has been to install bear-proof dumpsters in many areas of the corridor. ( Dan Vincent).

#### Great Bear Foundation (GBF)

This group uses a variety of approaches to educate the public on ways to live and work in grizzly country. They have also cost shared on preventative measures in the past.

#### Living With Wildlife Foundation (LWWL)

Developed and distributed “Living with Predators Resource Guide for Wildlife Professionals” (2003 edition). LWWL, in cooperation with FWP, established a peer-reviewed testing protocol for bear-resistant products working with the Grizzly Discovery Center. Maintains a database of products being used, how effective they are, general performance, etc. they conduct product testing on various electric fencing

configurations. In cooperation with FWP-R2 wildlife management specialist, established a phone tree list in the Blackfoot Valley to alert residences of bears in the area. LWWL is also trying to implement the same in the Bitterroot and Ninemile areas. (Patti Sowka)

#### National Wildlife Federation (NWF)

This national wildlife advocacy group has been extremely involved in sanitation efforts in the Bitterroot, NCDE, and Cabinet/Yaak. They have purchased bear resistant dumpsters for both public and private land as well as fencing for transfer sites as well as educational materials.

#### North Fork Bear Group

Comprised of community members. Produce a newsletter each spring concerning bears and bear activity. FWP- Region 1 wildlife management specialist provides information on the local bear population. Newsletters are delivered via mail. (T.Manley)

#### North Fork Interlocal

North Fork Interlocal has been in existence since the late 1980's. Comprised of agencies and community members. The group meets twice a year to disseminate information and discuss bear issues in the North Fork of the Flathead. (T.Manley)

#### Northwest Connections (NC)

NC provides citizen monitoring of grizzly bears, track surveys, and assessing bear-human conflicts in cooperation with FWP-R1 wildlife management specialist. Through backcountry rangering, NC also provides outreach and monitoring of proper food storage. NC has been instrumental in the Plum Creek Timber Company land swap corridor/linkage zone project. (Melanie Parker)

#### Partners for Wildlife

Land stewardship program. Landscape conservation efforts on yearlong grizzly bear habitat on private land. Partners with TNC, MT Land Alliance, FWS, and FWP. Forty thousand acres in preservation and conservation easements. (Gary Sullivan)

#### Swan Ecosystem Center (SEC)

Out of Condon, MT, SEC has provided money through grants to buy 14 bear-resistant dumpsters in the Swan Valley. These dumpsters have been put in place at restaurants, lodges, and schools in Condon and the surrounding area. SEC has a cost-share arrangement with the Forest Service whereby the SEC staffs the Forest Service office in Condon, MT and provides hand-outs on bear information to visitors. SEC works cooperatively with other organizations (LWWL, FWP, FS, NC) to provide the "Bear Newsletter", with the first publication expected in 2005. SEC has also been a key player in the Plum Creek Timber Company land swap. Assisting with purchase and placement of bear-resistant containers at private residences in the Condon area. (Ann Dahl)

#### The Nature Conservancy (TNC)

On TNC's Pine Butte Preserve, on the Rocky Mountain Eastern Front, a travel plan is in effect that governs human movement on the preserve relative to seasonal activities and habitat of grizzly bears. This travel plan also accommodates FWP's carcass redistribution program.

### Wind River Bear Institute (WRBI)

This group has worked extensively in Montana. They provide a variety of approaches that seek to educate the public on ways to live with grizzlies and also have an active program to prevent conflicts using Karian bear dogs and other aversive conditioning techniques. (Carrie Hunt)

### Yaak Valley Forest Council (YVFC)

The main mission is to keep roadless areas in the Yaak valley roadless. They have no formal program for sanitation efforts, but members of YVFC will go door-to-door to discuss proper storage of foodstuff with homeowners.

## **2. Corporate Lands**

### Plum Creek Timber Company

Plum Creek Timber Company has agreed to place covenants on certain company lands being sold in the Swan Valley in order to encourage new owners to live responsibly in grizzly country.

Additionally, Plum Creek Timber Company is a primary party in the Swan Valley Grizzly Bear Conservation Agreement, along with Montana Department of Natural Resources (DNRC), Flathead National Forest, and the U.S. Fish and Wildlife Service (FWS). Also, it adheres to Grizzly Bear Best Management Practices, which are voluntary guidelines implemented by Plum Creek in areas adjacent to U.S. Forest Service Management Situation 1 lands for grizzly bears. These general guidelines are implemented at a site-specific scale and are subject to change as new scientific information or site conditions warrant. (Henning Stabins, senior wildlife biologist, Plum Creek Timber Company).

### Burlington Northern – Santa Fe Railroad

The company has programs in place to deal with grain spills along the Highway 2 corridor should they occur. These programs are to keep bears from gaining access to grain after accidental spills. (Dan Vincent)

## ***Municipal efforts***

### Whitefish

- Roll-out ordinance, whereby garbage cannot be placed at the curb until the morning of pick-up. While on the books, this ordinance has not been very enforced in recent times. (John Wilson, public works director)
- New subdivisions must provide for each household a secure place to store garbage.
- Funding has been secured to purchase bear-resistant dumpsters for city parks.
- A “Bear Aware” program is being established in the community of Whitefish, MT. The intent of this organization is to raise public awareness about living in bear country and how to avoid bear-human conflicts. As part of this program, the regional garbage hauler (Waste Management System, Great Falls, MT) has given bear-resistant dumpsters to Ptarmigan Village, a resort/residential community in Whitefish, MT. (Bill Lavelle, Bear Aware coordinator).
- Ironhorse Golf Course and Development has placed in its covenant for homeowners that fruit trees, livestock, birdfeeders, and trash left unattended will not be permissible. (Tim Manley, FWP-R1)

### Kalispell

In conjunction with county planners and area biologists from FWP, covenants for new subdivision are including regulations for proper storage of garbage, pet foods, and other bear attractants. (Shawn Roland, Sanders County interim sanitarian until March 2005).

### *County efforts*

#### Lincoln

In July 2002, Lincoln County implemented an emergency temporary sanitation ordinance in response to black bear-human refuse conflicts at the Glen Lake refuse container site. The ordinance was effective for 90 days and governed how the refuse containers were to be used. After the 90 days were up, the ordinance was rescinded since it was not formally adopted as a resolution. Other than this, there are no sanitation guidelines specific to reducing bear-human refuse conflict except county-wide regulations issued by the Lincoln County Board of Health stating "All garbage must be put in closed containers." Some refuse sites in the county do have bear-resistant dumpsters, while other sites still have conventional green boxes. (Ron Anderson, Lincoln County sanitarian)

For more information on Lincoln County's efforts toward reducing bear/human sanitation conflicts, refer to "Let's Talk Trash: The Maintenance and Use of Bear-Resistant Dumpsters in Lincoln County, Montana" (Victoria Edwards, thesis University of Montana, 2000)

#### Flathead

There are 3 sites along the Middle Fork of the Flathead River going toward Marias Pass in Flathead County where bear-resistant dumpsters have been put in place. Additionally, a fourth site near Coram, MT has been made bear-resistant with an electric fence perimeter around a chain link fence. These four locations had known histories of bear-sanitation conflicts. (Dave Prunty, county sanitation director)

#### Glacier

Unknown.

#### Pondera/Teton

Pondera and Teton Counties are administered by the same sanitarian. The only location in either county that currently has been made "bear-resistant" is the roll-off waste station near Dupuyer, MT. This site has a chain-link fence perimeter only. (Corrine Rose, Pondera/Teton Counties sanitarian). In addition FWP and DW cost-shared to put "unbearable" dumpsters in Dupuyer.

#### Lewis and Clark

Currently there are no sanitation efforts directed at bears in Lewis and Clark County (Cheryl Reese, Lewis and Clark County solid waste director). Through the LBGL project, a community working group is working to unify food storage (J. Jonkel)

#### Powell/Deerlodge/Granite

At the north end of Powell County, bear-resistant dumpsters have been put in place in cooperation with the Blackfoot Challenge. Elsewhere throughout Powell, Deerlodge, and Granite counties there are no sanitation efforts directed at bears. (Karen Solberg, assistant sanitarian all 3 counties; Ron Hansen, Powell County planner)

### Missoula

Browning Ferris Industries (BFI), the largest garbage disposal company in the NCDE, has been very proactive toward bear-sanitation efforts, through cooperation with Region 2's "Living with Black Bear, Grizzly Bear, and Lion" program and its partners. BFI has agreed to place company owned bear-resistant dumpsters at any site within Missoula County that is experiencing chronic bear activity. In addition, BFI has bear-resistant residential garbage cans that will be given out on a priority basis in areas of high density bear use. (Ed Zuleger, Missoula County sanitarian; Chad Bauer, BFI)

### Lake

There are two sites in the Swan Valley where bear-resistant dumpsters have been put in place in response to bear-human refuse conflicts. At Porcupine Creek south of Swan Lake, the dumpster has a battery-powered automatic lid opener. North of Swan Lake at Ferndale, MT there are three dumpsters, each with electric-powered hydraulic lid openers. (Mark Nelson, Lake County sanitation director)

### Sanders

All refuse in Sanders County gets collected from roll-out areas and shipped to another county. All roll out areas have chain-link fence perimeters only. (Shawn Rowland, Sanders County interim sanitarian, until March 2005) Criteria are written into covenants that aim to reduce the impacts of development on wildlife. These stipulations govern the storage of human-, pet-, and livestock foodstuffs. They also discourage the use of berry-producing shrubs and fruit trees in landscaping. (Shawn Roland, county planning office)

### Mineral

Covenants in Mineral County include notices regarding proper storage of residential garbage. Otherwise, there are no sanitation efforts directed at bears in Mineral County (Tim Read, Mineral County sanitarian). Through the LBGL project, a community working group is working to unify food storage (J. Jonkel).

### Ravalli

Through the LBGL project, a community working group is working to unify food storage (J. Jonkel). Otherwise, there are no sanitation efforts directed at bears in Ravalli County (Dan Hutton, Ravalli County sanitarian).

### Silverbow

There are no sanitation efforts directed at bears in Silver Bow County (John Rolich, Silver Bow County sanitarian)

### Jefferson

There are two dumpster roll-off areas in Jefferson County where bear-sanitation conflicts have occurred in the past. During hunting season, bears were getting into dumpsters to retrieve carcasses. This conflict was resolved through a management action rather than equipment enhancement. Hunters now leave carcasses outside the dumpsters so that bears can access them without getting into the rest of the trash in the dumpster. (Cheryl Reese, former solid waste director for Jefferson County)

### Broadwater

Currently there are no sanitation efforts in Broadwater County regarding bear-human refuse conflicts. (Mike Scoffield, Broadwater County waste transfer station manager)

### 3. State Lands

#### 3.1 Montana Fish, Wildlife and Parks (FWP)

On state lands administered by the FWP, there are no department –wide food storage guidelines and sanitation efforts. However, there are a few area-specific cases within each region where food storage guidelines and sanitation efforts are in place. Each region has a wildlife management specialist who is responsible for the management of grizzly bear – human conflicts and who acts under the direction of a region-specific management plan. Each of these plans includes preventive as well as damage control efforts. Note that the entirety of a region may not be included within the boundaries of this management plan.

#### Region 1

- Bear-resistant dumpsters are in place in most state parks. (M. Watkins, T. Manley), primarily to address black bear problems. If a bear is sighted in the area, on-the-ground education occurs, the area is signed, and voluntary compliance of food storage guidelines is encouraged.
- The management plan for Bull River Wildlife Management Area, a recent land acquisition as of 2/2005, will include regulations and guidelines for grizzly bear management (B. Sterling, pers. comm.). The plan is expected to be completed by 12/2005.
- On Ninepipes Wildlife Management Area, bear-human conflict areas have been identified and managed on a case-by-case basis. These include electric fencing around apiaries and monitoring both bear- and human use around existing fruit trees on the management area.
- All fishing access sites and wildlife management areas are day-use only. Recreationists are expected to comply with the pack-in/pack-out policy.

#### Region 2

- Warm Springs, Garrity, and Lost Creek Wildlife Management Areas. No overnight use. Pack-in/Pack-out policy in place. Pamphlets regarding bear identification and safety in bear country made available to recreationist. (D.Dziak).
- Bear-resistant dumpsters are in place at Salmon Lake and Placid Lake State Parks, and at most fishing access sites along the Blackfoot River. (J.Firebaugh).
- An Environmental Assessment is being prepared regarding food storage guidelines on the Blackfoot-Clearwater Wildlife Management Area. (Mike Thompson).
- In the spring of 2002 Region 2 launched the “*Living with Black Bears and Grizzly Bears and Lions*” project (LBGL). In order to help residents, landowners, and hunters learn how to live in bear, lion, and wolf country the region developed this proactive program that focuses on public education, preventative measures, and quick response to complaints. (J. Jonkel)

#### Region 3

- Most of Region 3 falls outside the boundaries of this management plan. (See Figure 3 – map showing regions and area covered by this plan).
- All fishing access sites and wildlife management areas within the region adhere to the pack-in/pack-out policy.
- Outreach and prevention efforts by the wildlife management specialist in this region are focused where the grizzly bears are, which is centered around the Yellowstone Ecosystem and not in the area covered by this management plan.

#### Region 4

- Refer to “Final Report: East Front Grizzly Bear Study (FWP 1989) for details on grizzly bear management in Region 4 and efforts to date to minimize human-grizzly bear conflict. (M. Madel)
  - Livestock carcass redistribution program – phase out bone-yards and/or help to redistribute carcasses to remote sites away from human conflict areas. Identify key conflict areas and redistribute carcasses to Blackleaf, Sun River, and Ear Mountain Wildlife Management Areas (WMA) in the spring, after bear emergence from the den and prior to WMAs opening to the public on May 15. Carcasses are also distributed on Pine Butte Preserve administered by The Nature Conservancy (TNC). Distribution of the carcasses is randomly assigned so that bears do not get accustomed to any specific location as a potential food source and therefore increase potential for human encounters and conflicts. FWP wildlife management specialists work in cooperation with ranchers to redistribute carcasses from the Dupuyer and Choteau areas and elsewhere along the FWP, in cooperation with Defenders of Wildlife (DW):
    - Replaced non-secured dumpsters with bear-resistant dumpsters on prairie grassland areas of ranches along the Eastern Front.
  - Cost-shared East Front in Region 4.
    - Worked with Pondera County commission on behalf of the community of Dupuyer, MT, to provide 20 bear-resistant bins for the community so that garbage at all private residences as well as the local park is no longer accessible to bears.
    - Cost-shared, along with FWS and APHIS, to:
      - Install electric fences around sheep bedding grounds in the area north of Sun River and south of Glacier National Park.
      - Install electric fences around pig-rearing facility west of Dupuyer, MT and a livestock feedlot north of Choteau, MT.
  - Since 1986, FWP has worked to provide electric fencing around domestic apiaries. To date, >30 domestic bee yards have been fenced.
  - Teton River Watershed Group, in an effort to deal with noxious weeds, is beginning a program in 2006 to use domestic sheep and goats to control nonnative vegetation. FWP’s wildlife management specialist is working with this group to prevent grizzly bear conflict with their livestock.
  - Working with the Hutterite colonies to cost-share for electric fences around sheep yards in the Sun River Watershed.
- Food storage guidelines are in place on the Blackleaf, Ear Mountain, and Sun River Wildlife Management Areas. These guidelines are similar to the NCDE food storage guidelines except for the following:
  - Under “Food Storage Orders” –
    - Food and garbage shall be stored in a bear-resistant manner when not in use during daytime or nighttime hours (NCDE – all attractants must be within 50 feet of the attendee, or attractants must be stored in a bear-resistant manner. During the nighttime hours, no physical barrier, except tents or containers or attractant packaging material may exist between the attendee and attractants, which are not stored in a bear-resistant manner.).
    - “Carcasses” includes fish and bird, in addition to wildlife. (NCDE – wildlife only)
    - Attractants can be burned in an open campfire, as long as they are burned completely and not left in the campfire. (NCDE – attractants can’t be burned in an open campfire at all).



- Under “Food Storage Order Definition” –
  - “Attractant” includes food leftovers (bones, scraps, grease) and garbage from the preparation of human, livestock, or pet foods in addition to food as defined in the NCDE plan. (NCDE – does not include the aforementioned).
  - “Attendee” is a person 14 years of age or older and awake (NCDE – 18 years of age or older, does not specify being awake).
  - Under “Bear-resistant manner”, there are differences between FWP and NCDE regulations in the standards for electric fencing. The FWP regulations contain:
    - No minimum post height
    - No specifics for wire parameters
    - No specifics for system being set up to operate both as ground wire return and grounded system.
    - No minimum length for ground rod.
    - Charger must be inside fence or minimum of ten feet above ground (NCDE – “may” be inside fence, etc).

### ***3.2 Department of Natural Resources and Conservation lands (DNRC)***

There are no DNRC state lands–wide food storage or sanitation guidelines. However, sanitation guidelines are in place under certain circumstances and in specific locations.

- Regarding recreational use of DNRC lands, users are expected to pack out their trash [ARM 36.25.149 (j)].
- For DNRC lands within the NCDE recovery zone and on scattered school trust lands within the NCDE and CYE recovery zones, activities are governed by grizzly bear management regulations [ARM 36.11.433 “Grizzly Bear Management on Western Lands”] and contract language is used that directs the removal of garbage from work sites daily.
- For DNRC lands outside the NCDE and CYE recovery zones but in known occupied grizzly bear habitat, contract language is used in timber sale agreements that direct the removal of garbage from work sites daily.
- For DNRC lands outside the NCDE and CYE recovery zones and outside known occupied grizzly bear habitat, sanitation precautions are taken on a case-by-case basis only if known bear activity occurs.
- DNRC participates in the Blackfoot Challenge, a grassroots effort in the Blackfoot Valley to mitigate wildlife-human conflicts. In cooperation with the Challenge, DNRC has placed bear-resistant dumpsters at state land locations where bear-sanitation conflicts have been known to occur.
- Regarding cabin site leases, DNRC provides all leases with a brochure “Living with Bears” that explains measures leases should take to minimize bear-human conflicts. Additionally, it explains that under Montana law (MCA 87-3-130), persons are liable, if after being warned, fail to store supplemental feed or attractants properly and allow bears to access it.
- For DNRC lands on the Rocky Mountain Eastern Front, namely the Helena unit and Conrad unit lands within the NCDE, the department will determine appropriate methods to comply with the Endangered Species Act on a project level basis [ARM 36.11.434(1)]. Food storage guidelines will be considered, where applicable.

## **4. Tribal Lands**

### ***4.1 Blackfeet Indian Reservation***

The Blackfeet Fish and Wildlife Department (BFWD) will take action to prevent bear conflict situations from developing when possible. BFWD Code regulations govern food storage and sanitation in camping and nonresidential situations within the NCDE on the Blackfeet Indian Reservation and where bears are leaving the NCDE along riparian corridors on the reservation (Blackfeet Fish and Wildlife Code Ch.3, sect. 17). In addition, Code regulations govern the removal of livestock carcasses that may attract bears into conflict situations. BFWD will work with the tribal utilities commission and other agencies to explore possible methods and funding sources to make garbage unavailable to bears. Residents and businesses in bear occupied areas on the reservation will be encouraged to adopt measures to prevent unnatural foods from being available to bears. Additionally, BFWD will encourage beekeepers in bear country to install electric fencing around beehives.

Defenders of Wildlife (DW) has provided funding to the Blackfeet Reservation to purchase bear-resistant dumpsters for high priority communities on the reservation; and for electric fencing for beeyards, sheep bedding grounds, and a warehouse where honey is stored that had been broken into by a grizzly bear.

### ***4.2 Flathead Indian Reservation***

There are no food storage guidelines on the Flathead Indian Reservation. The Confederated Salish and Kootenai Tribal Wildlife Program issues press releases seasonally as bear activity warrants to notify residents of activity and precautionary measures to take to reduce bear-human conflict. Most bear activity is from black bears (D. Becker, pers. comm.). Tribal biologists take measures to mitigate bear-sanitation issues as situations arise.

## **5. Federal Lands**

### ***5.1 Corps of Engineers (COE)***

Recreation sites along the Libby Dam. No food storage regulations or sanitation guidelines (Dick Wernham, COE ranger).

### ***5.2 National Wildlife Refuges (NWR)***

There are two National Wildlife Refuges in the area covered by this management plan, the National Bison Range (NBR) complex and the Lee Metcalf. The NBR complex is comprised of the NBR, Pablo, Ninepipes, Swan River, and Lost Trail wildlife refuges plus 18 waterfowl production areas. NWR-administered lands are day-use only with no overnight camping allowed. There is one picnic area, located at NBR. Use of NWR-administered lands operates under the "pack in / pack out" guideline regarding sanitation; there are no garbage receptacles anywhere on the refuges. Access areas are signed with this guideline.

### ***5.3 Bureau of Land Management (BLM)***

While there are no BLM-wide food storage guidelines within the area of this management plan, there are specific BLM administered lands where food storage guidelines exist. In Lewis and Clark County, emergency restrictions were put into effect in response to black bear activity at dispersed, undeveloped campsites located on Holter Lake shoreline. These restrictions went into effect August 2004 and will remain in effect until publication of the Butte Field Office Resource Management Plan expected to be completed in Fall 2006.

Depending on the location of activity, food storage guidelines are written into contracts of use on BLM lands. If the activity occurs on BLM land within the NCDE, the NCDE guidelines are incorporated into contracts of use. If the activity occurs outside the NCDE yet in an area known to be occupied by grizzly bears, the NCDE guidelines are incorporated into contracts of use. If activity occurs on BLM land outside the NCDE and not in an area known to be occupied by grizzly bears, no food storage guidelines are written into the contract of use.

The 1986 Resource Management Plan (RMP) does not provide guidelines and orders concerning grizzly bears. Revisions to the plan are not due until 2012. In the meantime, the backlog consultation process will provide case-by-case guidelines concerning food storage and habitat- and access management concerning grizzly bears.

#### ***5.4 National Parks***

Glacier National Park is the only national park within the area of this management plan. Food storage is governed by direction in 36 CFR 2.10 (d), which prohibits anyone from leaving food unattended or stored improperly where it could attract or otherwise be available to wildlife. This direction is supplemented by a written request from the Superintendent to all Park residents, Inholders and Park concessionaires, encouraging proper garbage storage and disposal.

#### ***5.5 National Forests***

A number of different mandatory food storage orders and voluntary food storage guidelines exist on the National Forests or portions of the Forests. In addition to existing orders in grizzly bear recovery zones, there is consideration current on expanding food storage orders forest-wide. Some Forests with grizzly bear habitat have neither mandatory nor voluntary storage orders for the public, but all Forests include sanitation direction in permits and contracts. A summary of National Forest food storage orders is presented in Appendix Table B-1.

In the Northern Continental Divide ecosystem (NCDE), all Forests except the Kootenai are covered by one order [Northern Continental Divide Ecosystem Occupancy and Use Restrictions Special order concerning food and refuse (36 CFR 261.58 (cc)) and any bird, fish, or other animal and parts thereof (36 CFR 261.58(s))]. The following Forests are covered by this order: Flathead, Lewis and Clark, Helena, and Lolo. This order applies to that portion of these forests that occur within the NCDE; outside the NCDE, the Lolo has voluntary food storage guidelines, the Flathead does not, the Bitterroot, Lewis & Clark have no food storage guidelines or orders. The Kootenai National Forest applies forest-wide voluntary guidelines similar to the NCDE order.

The voluntary Kootenai guidelines are the only food storage direction currently in the Cabinet-Yaak ecosystem (CYE). The Lolo and Idaho Panhandle National Forests are considering voluntary guidelines similar to the Kootenai.

The Flathead, Lolo, and Bitterroot Forests are in the process of replacing all trash receptacles with bear-resistant dumpsters at campgrounds, trailheads, picnic areas, etc.

Even though it is outside of the Northern Continental recovery Zone, food storage orders similar to the NCDE order are in place on the Rattlesnake National Recreation Area of the Lolo National Forest.

In the Bitterroot ecosystem (BE), other than voluntary camp sanitation, no food storage orders exist on the Bitterroot National Forest.

While designated areas of the Madison and Jefferson Ranger Districts of the Beaverhead-Deerlodge National Forest adhere to food storage orders, these areas lie outside the 17-county area covered by this management plan. Therefore, no food storage orders exist on that portion of the Beaverhead-Deerlodge National Forest that occurs within the area covered by this management plan.

Some Forests require contractors and their associated parties involved in activities within grizzly bear habitat to comply with food storage guidelines and other contract specifications. The Idaho Panhandle National Forest requires contractors to adhere to camping and human safety provisions. In the Kootenai National Forest special use permit holders and users of the Bear Management Units (BMUs) where the Rock Creek Mine is are required to adhere to mandatory food storage orders. Lolo, Flathead, Bitterroot do as well.

Most Forests are planning on incorporating food storage guidelines into their updated forest management plans.

Appendix Table C-1. Food Storage Orders and Guidelines on the National Forests.

National Forest	Applicable Orders/Guidelines	Applies to			
		Part of RZ	Entire RZ	Outside RZ	Entire Forest
<i>Yellowstone Ecosystem</i>					
Beaverhead-Deerlodge NF	1997 BDNF order on portion of Forest 2000 BDNF order on portion of Forest Both are similar to 1990 Yellowstone-wide order.	X		X X	
<i>Northern Continental Divide Ecosystem</i>					
Flathead NF	2000 NCDE-wide order.		X		
Helena NF	2000 NCDE-wide order.		X		
Lewis & Clark NF	2000 NCDE-wide order.		X		
Lolo NF	2000 NCDE-wide order.		X		
Kootenai NF	2001 voluntary guidelines similar to NCDE order.				X
<i>Cabinet-Yaak Ecosystem</i>					
Idaho Panhandle NF	None. Considering voluntary guidelines.				
Kootenai NF	2001 voluntary guidelines similar to NCDE order.				X
Lolo NF	None. Considering voluntary guidelines.				
<i>Selkirk Ecosystem</i>					
Colville NF	1989 Colville order. Similar to 1990 Yellowstone order. Enforced only in grizzly habitat.				X
Idaho Panhandle NF	None. Considering voluntary guidelines.				
<i>Bitterroot Ecosystem</i>					
None on any National Forest.					

The major differences between National Forest orders in the various ecosystems are:

1. Yellowstone orders allow for “attended camp” during the day, but require “storage” of food at night. The NCDE order allows for “attended camp” during both day and night.
2. The NCDE order includes distance measures (100 ft. day and 50 ft. night) and age requirement (18 years) in order to meet the “attended camp” definition. Yellowstone orders include no definitions attended camp.

3. Yellowstone orders prohibit hanging/storage of game within 100 yards of camp or trail, while the NCDE order does not.
4. The NCDE order includes storage in buildings and electric fencing as “bear-resistant”. Yellowstone orders do not.

Appendix Table C-2. Comparison of elements contained in National Forest food storage orders.

Element	NCDE	Cabinet-Yaak
Application Area	Recovery Zone for all Forests.	Forest-wide on the Kootenai. Voluntary guidelines only.
Application Period	4/1-12/1	Not specified.
Applies to	Human, pet and livestock food and garbage, except baled or cubed hay (without additives).	Human, pet and livestock food and garbage, except baled or cubed hay (without additives).
Carcasses storage in relation to camps and other facilities	If within ½ mile of camp must store during nighttime. Carcass may be on the ground in camp during day if attended.	If within ½ mile of camp must store during nighttime. Carcass may be on the ground in camp during day if attended.
Food and garbage, unless being eaten, prepared, or transported	Can be attended or stored during daytime or nighttime.	Can be attended or stored during daytime or nighttime.
Attended Definition	1) Attendee 18 years or older 2) Daytime, within 100 ft of attendee. 3) Night, within 50 ft of attendee and no physical barrier.	1) Attendee 18 years or older 2) Daytime, within 100 ft of attendee. 3) Night, within 50 ft of attendee and no physical barrier.
Burnable attractants (leftovers)	Must be stored and packed out, or burned in contained fire stove.	Must be stored and packed out, or burned in contained fire stove.
Bear-resistant container	Securable container-solid material-cap of withstanding 200 ft lbs-no openings-must be approved.	Securable container-solid material-cap of withstanding 200 ft lbs-no openings-must be approved.
Dead Livestock	Report death of livestock within 24 hours of discovery.	Report death of livestock within 24 hours of discovery.
Stored in bear-resistant manner	1) Bear-resistant container 2) Closed vehicle 3) Hung 10x4 4) Dwelling or building 5) Approved electric fence	1) Bear-resistant container 2) Closed vehicle 3) Hung 10x4 4) Dwelling or building 5) Approved electric fence

APPENDIX D

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS (FWP)  
AND  
UNITED STATES DEPARTMENT OF AGRICULTURE  
ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
ANIMAL DAMAGE CONTROL (ADC)  
  
COOPERATIVE ANIMAL DAMAGE CONTROL PROGRAM IN THE STATE OF  
MONTANA

ARTICLE 1

The purpose of this Memorandum of Understanding (MOU) is to initiate a cooperative relationship between FWP and ADC for planning, coordinating, and implementing animal damage control programs developed to prevent or minimize damage caused by wild animal species, including threatened and endangered species, to agriculture, animal husbandry, forestry, wildlife, and public health and safety.

ARTICLE 2

FWP is authorized to control wildlife damaging livestock or property or for public health and safety by Montana Codes Annotated, Sections 87-1-201 Powers and duties of the department and 87-1-225 Regulation of wild animal damaging property.

ADC is authorized by the Animal Damage Control Act of March 2, 1931 (7 U.S.C. 426-426b), and the Rural Development, Agriculture, and Related Agencies Appropriations Act, 1988 (P.L. 100-202) to cooperate with States, local jurisdictions, individuals, and public and private agencies, organizations and institutions.

ARTICLE 3

FWP and ADC agree that:

A. Both parties will cooperate by providing facilities, equipment, personnel, and funds to conduct a joint program in the state of Montana which will prevent or minimize the economic effects of depredations caused by wild animals.

B. ADC will be responsible for capture of grizzly bears, black bears and mountain lions which are involved in livestock depredation, including bees and beehives. Upon notification of a livestock depredation where grizzly bear may be involved, the receiving party will contact the other party and a joint investigation will be conducted.

C. Grizzly bear control activities will follow the action procedures for determining grizzly bear nuisance status and for controlling nuisance grizzly bear in the Interagency Grizzly Bear Guidelines (attached) and 50 CFR 17.40 (b), whereby FWP will be responsible for the disposition of the animal.

D. Grizzly/livestock depredation reports will be prepared by FWP for submittal to the Great Bear Foundation. In cases where there remains a question on whether it was a grizzly involved, all information obtained during the investigation will be provided to Dr. Bart O'Gara for review and assessment.

E. FWP will be responsible for responding to non-livestock complaints involving grizzly bears, black bears and mountain lions. All non-livestock complaints will be referred to FWP.

F. Control activities and field investigations conducted pursuant to this MOU will emphasize sound management practices and due regard for the protection of domestic animals, nontarget wildlife, endangered species and the environment.

G. At the written request of FWP Regional Supervisor and/or the ADC District Supervisor, notification will be provided in these regions when nuisance or livestock depredation control actions are initiated for black bear and mountain lion. All depredation complaints will be responded to within (48) hours. Assistance may be requested of either party when necessary.

H. Both parties will consult as often as necessary to review the number of depredation complaints received and the actions taken to resolve the complaints. Contacts should be made at the local level. FWP Regional Supervisors will coordinate with ADC District Supervisors.

I. ADC will submit an annual report of activities conducted. In addition, ADC will continue to provide the FWP a copy of all Bear and Lion Justification Reports.

J. Salvaging of animals will be reported on the ADC Bear and Lion Justification Report. Carcasses and/or parts will be turned over to FWP. In cases where it is impractical to turn in carcasses or all parts, those parts that remain salvageable will be turned in.

K. Both parties agree to identify areas and notify the other party where preventative measures may be taken to minimize or prevent animal damage. Cooperative preventative efforts will be undertaken whenever possible.

L. Both parties will encourage joint participation at training sessions involving animal damage control.

M. The Field Services Services Division for FWP will provide for statewide liaison with the Montana Director of ADC regarding activities related to this MOU.

#### ARTICLE 4

All animal damage control activities will be conducted in accordance with the applicable Federal, State, and local laws and regulations.

#### ARTICLE 5

This agreement and any continuation thereof shall be contingent upon the availability of funds appropriated by the Congress of the United States and the State of Montana. It is understood and agreed that any monies allocated for the purpose of this agreement shall be expended in accordance with its terms and in the manner prescribed by the fiscal regulations and/or administrative policies of the agency making the funds available.

#### ARTICLE 6

Pursuant to Section 22, Title 41, United States Code, no member of or delegate to Congress shall be admitted to any share or part of this MOU or to any benefit to arise therefrom.

#### ARTICLE 7

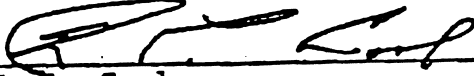
This MOU shall supersede all existing memorandums of understanding and supplements thereto relating to the conduct of animal damage control programs with FWP. All cooperative animal damage control programs now in progress shall be incorporated and continued under this MOU for the purpose of being consistent.

#### ARTICLE 8

This MOU shall become effective upon date of final signature and shall continue indefinitely. This MOU may be amended at any time by mutual agreement of the parties in writing. It may be terminated by either party upon 60 days written notice to the other party.




MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS

  
K. L. Cool  
Director

August 17, 1990  
Date

USDA  
Animal and Plant Health Inspection Service

  
Noting Administrator

SEP 20 1990

Date